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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/252,925	02/19/1999	SHINJI OHNISHI	35.C13340	5040
5514	7590	09/07/2004	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			NGUYEN, HANH N	
			ART UNIT	PAPER NUMBER
			2662	

DATE MAILED: 09/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/252,925

Applicant(s)

OHNISHI ET AL.

Examiner

Hanh Nguyen

Art Unit

2662

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Amendment filed on 07/27/04.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 20,26,36,39-41,44 and 46-48 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

- 5) ☐ Claim(s) _____ is/are allowed.

- 6) ☒ Claim(s) 20,26,36,39-41,44 and 46-48 is/are rejected.

- 7) ☐ Claim(s) _____ is/are objected to.

- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Claim Objections

Claim 46 is objected to because of the following informalities: Examiner believes that, on line 3, “each of one or more” should have been “each of one or more destination nodes” . Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 20, 26, 36, 39, 41, 44, 46, 47 and 48 are rejected under 35 USC 103(a) as being unpatentable over **Hasegawa** (US Pat. No. 5,812,772) in view of **Fujimori** (US Pat. No. 6,825,752), and further in view of **Malik** (US Pat. No. 6,462,832 B1).

In claims 20, 26 and 46, **Hasegawa** discloses, in Fig.1, a data transmitter 100 (a source node) and a plurality of communication terminals 200 (one or more destination nodes). See col.2, lines 34-40. The data transmitter 100 transmits a plurality of segmented data 500 (a plurality of segmented data) to the communication terminals 200 (transmitting segmented data to one or more destination nodes) which stores the received segment data in an image buffer 261 (for storing the segment data in the receiving buffer). (See Fig.2, col.3, lines 20-35 & lines 1-5). Each communication terminal 200 has a terminal controller 220 (a controller). See col.2, lines

44-51. **Hasegawa** does not disclose a controller setting a logical connection between source node and destination nodes and notify the source node and destination nodes regarding the logical connection, transmitted data from a source is divided into segments.

Fujimori discloses a system transmitting MIDI data (see col.1, lines 5-15) between a source node 3 and destination nodes 1, 2 and 4 via logical paths (see Fig.1). A path manager 8 (a controller) (see Fig.2) sets logical paths and notifies the logical paths setup to source node 3 and destination nodes 1, 2 and 4 (See Fig.1 & col.9, lines 25-45 & col.20, lines 45-65). **Malik** discloses, in Fig.1, that a source terminal 10 (source node) retrieves data information from an external data sources 5, divides the data into a plurality of segments and transmits to terminals 50-53 (one or more destinations) via server 30 and respective connection line 32-35 (source node dividing data to be transmitted to destination nodes into a plurality of segment data). (See Fig.5, steps S121, S122 and S128 & col.8, lines 1-25).

Since **Fujimori** discloses a system transmitting MIDI data (see col.1, lines 5-15) between a source node 3 and destination nodes 1, 2 and 4 via logical paths (see Fig.1), therefore; it would have been obvious to one ordinary skill in the art to assign logical connections and notify the logical connections to the source node and destination nodes in **Hasegawa** so that the segment data transmitted to a destination node is distinguished by a respective line identification such as line ID, line number ..etc..

In addition, it would have been obvious to one ordinary skill in the art to apply the feature of **Malik** which comprises dividing data into segments for transmitting to destinations into **Hasegawa** in order to simultaneously transmit the plurality of segment data to destination nodes

via respective connections. The motivation is to distinguish segment transmissions to destination via different connections.

The combination of Fujimori and **Malik** with **Hasegawa** is believed to acquire the above claimed invention.

In claims 36, 41 and 47, **Hasegawa** discloses, in Fig.1, that the communication terminals 200 (one or more destination nodes) respectively check the amount of data remaining in the image buffer 261 (information about a size of receiving buffer) and sends to transmitter 100 (source node) a request for transmitting a predetermined amount of data via control line 402, wherein the predetermined data is capacity of the image buffer 261 for holding data which was received in response to the request. See col.4, lines 42-52.

In claims 39, 44 and 48, **Hasegawa** does not disclose the source node and destination nodes conform with IEEE1394-1995 standard. **Malik** discloses, in Fig.1, source terminal 10 is coupled to IEEE1394 bus 6 to receive data from an external data source 5 such as printer, scanner (source node conforms with IEEE1394 standard). See col.5, lines 10-18. At the destination side, terminals 50-53 (destination nodes) is established from IEEE Ethernet network 40. See col.4, lines 47-65. Since **Hasegawa** discloses the data transmitter 100 transmitting multimedia data (image and sound data) to communication terminal 200 for displaying; therefore, it would have been obvious to one ordinary skill in the art to apply the IEEE 1394 bus interface of **Malik** for conforming the data transmitter 100 and communication terminals 200 of **Hasegawa** in IEEE1394 standard. The motivation is to asynchronously transmit high speed digital data without requiring real time capability.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Yeung et al. (US Pat. No. 6,438,613 B1) discloses Method and Apparatus for Allowing packet data to be Separated over Multiple Bus Targets.

Ludtke et al.(US Pat. No. 6,141,702) discloses Model and Command Set for an AV/C-based DISC media Player Recorder.

Takeoka et al. (US Pat. No. 6,665,082 B1) discloses Printer System and Method of Controlling Operation of the Same.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hanh Nguyen whose telephone number is 703 306-5445. The examiner can normally be reached on Monday-Friday from 8:30AM to 5:30PM. The examiner can also be reached on alternate

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou, can be reached on 703 305-4744. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

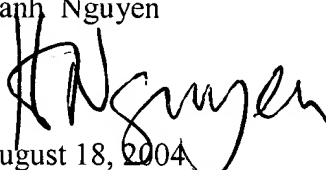
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system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hanh Nguyen

A handwritten signature in black ink, appearing to read 'Hanh Nguyen', written over the printed name and date.

August 18, 2004